

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,) CASE NO.: 5:18CR182
)
Plaintiff,) JUDGE SOLOMON OLIVER, JR.
)
v.)
)
TYRONE ROGERS,) <u>UNOPPOSED MOTION TO CONTINUE</u>
) <u>SENTENCING OF DEFENDANT</u>
Defendant.) <u>TYRONE ROGERS</u>

The United States, by and through its counsel, Justin E. Herdman, United States Attorney, and Elliot Morrison, Assistant United States Attorney, moves the Court to continue the sentencing hearing for Defendant Tyrone Rogers. The government has conferred with counsel for Defendant, who has confirmed that Defendant does not oppose the requested continuance.

On December 20, 2018, Defendant pled guilty to Count 1 of the Superseding Indictment, and the Court set this matter for sentencing on April 25, 2019, at 11:00am, and then continued the sentencing to June 21, 2019 when the trial was rescheduled for June 3, 2019. The trial is now scheduled for a date to be determined. As a result, the government moves the Court to continue Defendant's sentencing to a date to be determined, after the conclusion of the rescheduled trial.

This continuance is not sought for purposes of delay, and any interests in an expeditious sentencing are far outweighed by the interest of the Court, the public, and all parties in a sentencing hearing at which the Court will have the same information in sentencing Defendant Rogers as it will have when sentencing his co-defendants. As the government prepares for trial, interviewing witnesses and analyzing evidence, it learns more about the conspiracy and the

relative roles of the co-defendants. Trial testimony will shed further light on the nature and circumstances of the offense. The government submits that this information is important to the Court's consideration of Defendant's sentence under 18 U.S.C. § 3553(a).

Defendant is incarcerated pending his sentencing, but is certain to receive a sentence in excess of the length of his pre-trial detention. Further, Defendant has no opposition to this motion.

Accordingly, in order to ensure that the Court has the fullest picture of the circumstances of this case and Defendant's role, and to enable the coordination of related matters, the government requests that the Court continue the sentencing hearing for Defendant Rogers until after the re-scheduled trial of his co-defendants.

Respectfully submitted,

JUSTIN E. HERDMAN
United States Attorney

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CERTIFICATE OF SERVICE

I hereby certify that on this day, June 5, 2019, a copy of the foregoing document was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. All other parties will be served by regular U.S. Mail. Parties may access this filing through the Court's system.

/s/ Elliot Morrison

Elliot Morrison

Assistant U.S. Attorney